

JDG:SF

DOCKET NO.: X03 HHD-CV15-6062286-S : SUPERIOR COURT
: :
: : J.D. OF HARTFORD
THE TOWN OF REDDING, et al. : AT HARTFORD
: :
VS. : COMPLEX LITIGATION
: DOCKET
: :
GEORGETOWN LAND DEVELOPMENT :
COMPANY, LLC, et al. : JANUARY 4, 2021

ORDER REGARDING MOTION FOR JUDGMENT – STRICT FORECLOSURE

WHEREAS, this matter was commenced in July 2015 by the writ, summons, and complaint of the plaintiffs TOWN OF REDDING; THE REDDING WATER POLLUTION CONTROL COMMISSION; and GEORGETOWN FIRE DISTRICT against the defendants GEORGETOWN LAND DEVELOPMENT COMPANY, LLC; RJ TAX LIEN INVESTMENTS, LLC; U.S. BANK NATIONAL ASSOCIATION; FUSS & O'NEILL, INC.; MANAFORT BROTHERS, INC.; TIGHE AND BOND, INC.; CROSSKEY ARCHITECTS, LLC; COUNTRY BANK; GEORGETOWN SPECIAL TAXING DISTRICT; GEORGETOWN HOLDINGS, LLC; PMJ CAPITAL CORP.; TD BANK, NATIONAL ASSOCIATION; GB CAPITAL, LLC; and FRANK S. OWENS;

WHEREAS, this action seeks to foreclose certain municipal tax and sewer liens against real estate comprised of 109 related parcels of land located in the Town of Redding owned by the defendant GEORGETOWN LAND DEVELOPMENT COMPANY, LLC and known as:

10 Allison Road a/k/a 10 Alison Road	20 Elizabeth Street	117 North Main Street
12 Allison Road a/k/a 12 Alison Road	22 Elizabeth Street	119 North Main Street
14 Allison Road a/k/a 14 Alison Road	24 Elizabeth Street	121 North Main Street
16 Allison Road a/k/a 16 Alison Road	26 Elizabeth Street	123 North Main Street
18 Allison Road a/k/a 18 Alison Road	28 Elizabeth Street	125 North Main Street
2 Madalena Street	30 Elizabeth Street	127 North Main Street
6 Madalena Street	32 Elizabeth Street	129 North Main Street
10 Madalena Street	34 Elizabeth Street	131 North Main Street
14 Madalena Street	36 Elizabeth Street	133 North Main Street
20 Madalena Street	38 Elizabeth Street	135 North Main Street
9 Nina Court	40 Elizabeth Street	141 North Main Street
11 Nina Court	42 Elizabeth Street	145 North Main Street
12 Nina Court	40 Miller Street	147 North Main Street
14 Nina Court	42 Miller Street	149 North Main Street
15 Nina Court	44 Miller Street	151 North Main Street
16 Nina Court	46 Miller Street	153 North Main Street
17 Nina Court	50 Bennett Street	155 North Main Street
20 Catherine Road	50 Isabel Turn	159 North Main Street
21 Catherine Road	52 Isabel Turn	161 North Main Street
22 Catherine Road	54 Isabel Turn	163 North Main Street

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23 Catherine Road	56 Isabel Turn	165 North Main Street
24 Catherine Road	58 Isabel Turn	167 North Main Street
26 Catherine Road	61 Isabel Turn	169 North Main Street
28 Catherine Road	62 Isabel Turn	170 North Main Street
29 Catherine Road	64 Isabel Turn	173 North Main Street
30 Catherine Road	66 Isabel Turn	175 North Main Street
32 Catherine Road	67 Isabel Turn	177 North Main Street
33 Catherine Road	68 Isabel Turn	179 North Main Street
34 Catherine Road	70 Isabel Turn	181 North Main Street
37 Catherine Road	73 Isabel Turn	183 North Main Street
38 Catherine Road	20 North Main Street	185 North Main Street
39 Catherine Road	30 North Main Street	187 North Main Street
44 Catherine Road	110 North Main Street	189 North Main Street
2 Kate Place	111 North Main Street	190 North Main Street
4 Kate Place	113 North Main Street	194 North Main Street
6 Kate Place	115 North Main Street	196 North Main Street
North Main Street a/k/a 1 North Main Street		

WHEREAS, the defendants TD BANK, NATIONAL ASSOCIATION; GEORGETOWN SPECIAL TAXING DISTRICT; PMJ CAPITAL CORP.; GB CAPITAL, LLC; GEORGETOWN HOLDINGS, LLC; and FRANK S. OWENS have previously been defaulted for their failure to appear, and the defendants TIGHE AND BOND, INC.; MANAFORT BROTHERS, INC.; FUSS & O'NEILL, INC. have previously been defaulted for their failure to plead and disclose defenses;

WHEREAS, summary judgment as to liability has previously entered against the defendants CROSSKEY ARCHITECTS, LLC, GEORGETOWN LAND DEVELOPMENT COMPANY, LLC; COUNTRY BANK; GEORGETOWN LAND DEVELOPMENT COMPANY, LLC; RJ TAX LIEN INVESTMENTS, LLC; and U.S. BANK NATIONAL ASSOCIATION;

WHEREAS, this Court (Miller, J.) has previously held that the tax liens of the plaintiffs TOWN OF REDDING and GEORGETOWN FIRE DISTRICT have priority over those held by the defendants RJ TAX LIEN INVESTMENTS, LLC and U.S. BANK NATIONAL ASSOCIATION and entered judgment thereon;

WHEREAS, the Connecticut Supreme Court has partly affirmed and partly reversed the said ruling, and held that the tax liens of the plaintiff TOWN OF REDDING have priority over those held by the plaintiff GEORGETOWN FIRE DISTRICT and the defendants RJ TAX LIEN INVESTMENTS, LLC and U.S. BANK NATIONAL ASSOCIATION;

WHEREAS, the plaintiff TOWN OF REDDING has moved for judgment of strict foreclosure;

NOW, THEREFORE, the foregoing having been duly heard, it is hereby ORDERED:

(1) Based on the Affidavit of Military Service filed by the plaintiff, the Court finds that the nonappearing individual defendant FRANK S. OWENS does not currently serve in the military.

(2) The fair market value of the properties being foreclosed, considering their environmental status, exposure to future taxation for district debt service, and all other relevant factors, is found to be \$1.00 to the foreclosing municipal plaintiff and would be negative for any other grantee.

(3) The debt owed to the plaintiff TOWN OF REDDING is found to be \$6,198,950.86 through February 28, 2021. The attorney's fees owed to the plaintiff TOWN OF REDDING are found to be \$276,682.50 plus \$11,248.23 in expenses through January 4, 2021. The plaintiff TOWN OF REDDING is also awarded \$1,500.00 for the title search fee, \$2,212.20 for the marshal's service fee, and \$357.70 for the court's filing fee.

(4) Judgment of strict foreclosure shall enter in favor of the plaintiff TOWN OF REDDING. Law day is set for Monday, February 1, 2021 for the owner of the equity of redemption, and subsequent days for subsequent encumbrancers in the inverse order of their priorities, as follows:

1- GEORGETOWN LAND DEVELOPMENT COMPANY, LLC

2- FRANK S. OWENS

3- CROSSKEY ARCHITECTS, LLC and MANAFORT BROTHERS, INC.

4- FUSS & O'NEILL, INC.

5- TIGHE AND BOND, INC.

6- COUNTRY BANK

7- TD BANK, NATIONAL ASSOCIATION and GB CAPITAL, LLC

8- GEORGETOWN HOLDINGS, LLC

9- THE REDDING WATER POLLUTION CONTROL COMMISSION;

10- GEORGETOWN FIRE DISTRICT;

11- U.S. BANK NATIONAL ASSOCIATION; RJ TAX LIEN INVESTMENTS, LLC; PMJ CAPITAL CORP.; and GEORGETOWN SPECIAL TAXING DISTRICT; and

12- Title shall vest in the Plaintiff TOWN OF REDDING on February 16, 2021.

Schuman, J. 01/04/2021
(Schuman, J.) date

- Original mailed to
Plaintiff;
- Copies to all other parties;
S/C